

**In the United States District Court
For the Southern District of Georgia
Brunswick Division**

JOSEPHER J. SIBLEY,

Plaintiff,

v.

CAMDEN COUNTY JAIL, et al.,

Defendants.

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CIVIL ACTION NO.: 2:19-cv-166

ORDER

Plaintiff filed a 42 U.S.C. § 1983 Complaint and alleged Defendants violated his constitutional rights. Dkt. No. 1. Plaintiff also filed a motion to proceed *in forma pauperis*, which the Court granted. Dkt. Nos. 2, 3. Plaintiff consented to the collection of fees from his prison trust account. Dkt. No. 5. However, Plaintiff has now submitted a letter to the Court in which he states he sent a letter on February 3, 2020 indicating he does not consent to the collection of fees from his account and now wants his case "voided."¹ Dkt. No. 7.

The Court construes Plaintiff's letter as a motion brought under Federal Rule of Civil Procedure 41(a)(2).² Rule 41(a)(2)

¹ The Court has no record of the February 3, 2020 letter.

² "Courts generally 'must look beyond the labels of [filings] by pro se [parties] to interpret them under whatever statute would provide relief.'" Edwards v. Hastings, No. 2:14-CV-41, 2016 WL 686386, at *1

provides that "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper. Unless the order states otherwise, a dismissal under this paragraph . . . is without prejudice." Upon due consideration, the Court **GRANTS** Plaintiff's construed Motion to Dismiss his § 1983 Complaint voluntarily. The Court **DISMISSES** without prejudice Plaintiff's Complaint and **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 28 day of May, 2020.

HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

(S.D. Ga. Feb. 18, 2016) (quoting Lofton v. Williams, No. CV415-146, 2016 WL 126408, at *2 (S.D. Ga. Jan. 11, 2016) (first alteration in original), and citing Means v. Alabama, 209 F.3d 1241, 1242 (11th Cir. 2000) (concerning pro se inmates)); Fed. R. Civ. P. 8(e) ("Pleadings must be construed so as to do justice."); Wilkerson v. Georgia, 618 F. App'x 610, 611-12 (11th Cir. 2015).